

Public Hearing Questions for  
**State Law Library Commission**  
Created by Section 10-4-101, *Tennessee Code Annotated*  
(Sunset termination June 30, 2014)

1. Provide a brief introduction to the commission, including information about its purpose, statutory duties, staff, and administrative attachment.

The state law library commission has full control and supervision of the state law libraries at Nashville, Knoxville and Jackson. The commission's powers include (1) the power to employ necessary personnel, either full or part time, and to fix their compensation; (2) The power to purchase or otherwise acquire books, furniture, supplies and all other necessary equipment, including the power to dispose of by sale, exchange, gift or otherwise, books and equipment, (3) The power to make and enforce all necessary rules and regulations for the management and operation of the libraries; and (4) The power to exchange the Tennessee Reports, the Tennessee Appeals Reports, Acts, and codes for the reports, acts and codes of other jurisdictions.

The commission is administratively attached to the Administrative Office of the Courts, and the Administrative Director serves ex officio as the secretary to the commission. Mary Miles Prince, Law Librarian for the Vanderbilt Law School serves voluntarily as the Law Library Coordinator.

2. Provide a list of current members of the commission. For each member please indicate who appointed the member, how the member's presence on the commission complies with Section 10-4-101, Tennessee Code Annotated.

Attached.

3. How many times did the commission meet in fiscal year 2012 and to date for 2013? How many members were present at each meeting?

The commission has not met since December 1, 2011

4. What per diem or travel reimbursement do members receive? How much was paid to members during fiscal year 2012 and to date for 2013?

None in those years.

5. What were the commission's revenues (by source) and expenditures (by object) for fiscal year 2012 and to date for 2013? Does the commission carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the commission does not carry a fund balance, what was the source of the revenue for the excess expenditures?

None.

6. Is the commission subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the commission have for informing the public of its meetings and making its minutes available to the public?

Yes. Notices of commission meetings are posted on the Administrative Office of the Courts' website.

7. Briefly describe the state's system of law libraries, including information on the location of the libraries, staffing of those libraries, and revenues and expenditures during fiscal year 2012 and to date for 2013.

The state has three law libraries; one at each building where the Supreme Court and the intermediate appellate courts regularly hear cases; Nashville, Jackson and Knoxville. The libraries have had no official staff since they were closed to the public, and routine maintenance of remaining books is performed by court staff. The libraries generated no revenue for either 2012 or 2013. Expenditures for upkeep of select collections in all three libraries totaled approximately \$75,000 each year.

8. Describe the nature and extent of the commission's activities and any major accomplishments for the past two years.

The Commission has not met since December 1, 2011.

9. Describe the commission's process for oversight of the operations of the state's law libraries. How does the commission ensure that materials are complete and up-to-date and that outdated materials are purged periodically?

In 2011, the commission adopted a library reorganization plan for the Nashville library developed by Justice William Koch. Justice Koch developed this plan based on an interest expressed by the Supreme Court Historical Society in converting a portion of the library into a museum. The 75<sup>th</sup> Anniversary of the Nashville Supreme Court Building was in December, 2012, and the Supreme Court Historical Society had a desire to have the museum functional before December, 2012. The Supreme Court Historical Society had funds to purchase tables or shelves for the museum. Justice Koch's proposal included the removal of out of date books and the consolidation of the remaining books into a smaller portion of the library.

This reorganization plan was approved by the commission, and has resulted in the upkeep expenditures noted in item 7 above.

10. How does the commission ensure that its members and staff are operating in an impartial manner and that there are no conflicts of interest? If the commission operates under a formal conflict of interest policy, please attach a copy of that policy.

N/A

11. Describe any items related to the commission that require legislative attention and your proposed legislative changes.

None

12. Should the commission be continued? To what extent and in what ways would the absence of the commission affect the public health, safety, or welfare?

The commission should be continued. Even though the holdings of the libraries have been drastically reduced due to budget cuts over the past several years, there still remain three usable collections of reference materials for appellate judges and their staff. Decisions about the content and upkeep of these holdings must be made periodically, and such decisions are better made by the commission, which is composed of judges with a direct interest in the quality of the remaining libraries.

13. Please list all commission programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

None

[Federal financial assistance includes:

- (1) Grants and loans of Federal funds,
- (2) The grant or donation of Federal Property and interests in property,
- (3) The detail of Federal personnel,
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- (5) Any federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

*28 C.F.R. Sec. 42.102(c)*

[The term recipient means any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, or organization, or other entity, or any individual, in any State, to whom Federal financial assistance is extended, directly or through another recipient, for any program, including any successor, assign, or transferee thereof, but such term does not include any ultimate beneficiary under any such program.

*If the commission does receive federal assistance, please answer questions 14 through 21. If the commission does not receive federal assistance, proceed directly to question 20.*

14. Does your commission prepare a Title VI plan? If yes, please provide a copy of the most recent plan.
15. Does your commission have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.
16. To which state or federal agency (if any) does your commission report concerning Title VI? Please describe the information your commission submits to the state or federal government and/or provide a copy of the most recent report submitted.
17. Describe your commission's actions to ensure that commission staff and clients/program participants understand the requirements of Title VI.
18. Describe your commission's actions to ensure it is meeting Title VI requirements. Specifically, describe any commission monitoring or tracking activities related to Title VI, and how frequently these activities occur.
19. Please describe the commission's procedures for handling Title VI complaints. Has your commission received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).
20. Please provide a breakdown of current commission staff by title, ethnicity, and gender.
21. Please list all commission contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner

None.

# State Law Library Commission

Tenn. Code Ann. § 10-4-101 et seq.  
Chair: Chief Justice Gary R. Wade  
Secretary: Elizabeth Sykes, AOC Director

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**Judge Frank G. Clement, Jr.**

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